S.B. Cr. Bail Application No. 4697/2007
(Prem Choudhary Vs. State of Rajasthan)

Date of order : 20.09.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Jaidev Singh Bhati for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned, FIR and statement of the prosecutrix under Section 164 Cr.P.C.

In my view, it is not a fit case to release the petitioner on bail at this stage keeping in view the allegation of rape against the petitioner.

The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed. However, the petitioner is at liberty to file a fresh bail application after the statement of prosecutrix is recorded by the trial court. The trial court shall record the statement of prosecutrix on priority basis.

(H.R.PANWAR), J.

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